

REMARKS

The Office Action of November 2, 2006 has been received and carefully reviewed. It is submitted that, by this Response, all bases of rejection are traversed and overcome. Upon entry of this Response, claims 21, 23, 24, 29, 31, 32 and 35-42 remain in the application.

Reconsideration of the claims is respectfully requested.

Claims 21, 23, 24, 29, 31, 32, 35-37 and 39-41 stand rejected under 35 U.S.C. 102(e) as being anticipated by Stefan et al. (U.S. Pat. App. Pub. No. 2005/0090941). Regarding claims 21 and 29, the Examiner states that Stefan discloses a method and a computer readable medium for storing a computer program for providing technical services to a telematics unit comprising all of the features set forth in Applicants' independent claims 21 and 29.

Applicants' claims recite, in part, selecting a technical service action for at least one telematics device, associating the technical service action with a unique identification code assigned to a respective telematics device, storing the associated technical service action in a technical services database, receiving a request (including an associated unique identification code) for technical services from the telematics device, comparing the assigned code to the associated code, and providing the technical service if the codes match.

Applicants respectfully submit that Stefan *fails* to teach 1) selecting a technical service action **for at least one telematics device**, and 2) associating the selected service action with a **unique identification code assigned to a respective telematics device**. Furthermore, Stefan neither mentions nor suggests comparing a unique identification code that is associated with a telematics device that is requesting services from the service center with a previously stored unique identification code that is assigned to a respective telematics device. Stefan also does not teach providing the service to the telematics device if the unique codes are found to match.

Stefan does teach using a telematics device as a programming gateway for updating the software in vehicle system modules (VSMs). As defined by Stefan, the telematics device "includes a digital signal processor (DSP) **122** connected to a wireless modem **124**, a global positioning system (GPS) unit **126**, an in-vehicle memory **128**, such as, for example, a non-

volatile flash memory, a microphone **130**, one or more speakers **132**, an embedded or in-vehicle mobile phone **134**, and a wireless access point node **136...**” and the “Vehicle System Module . . . is any vehicle system control module having software and hardware components for operating, controlling or monitoring one or more vehicle systems. In one embodiment, vehicle system module **290** is a vehicle system controller such as, for example, a power train control module (PCM).” (emphasis added, see paragraph [0038]). Stefan is clearly distinguishing the VSM from the telematics device.

Stefan further discloses that, “An update program module applies any field service update data **292** received to the VSM 290 from the telematics device 220 to update software or operational parameters of VSM **292**.” (emphasis added, see paragraph [0038]). It is submitted that Stefan is **NOT** teaching that the telematics device itself is being updated, rather he is teaching that the telematics device is the entity that is executing the updates (via an update program module resident in the telematics device). Stefan’s teachings that the VSM and telematics device are different and that the telematics device sends updates to the VSM clearly indicate that Stefan’s telematics device is used as a programming device or gateway to update software on VSMs distributed throughout the vehicle. It is submitted that Stefan is not teaching providing the telematics device with a technical service action for that device (as recited by the Applicants).

Furthermore, Applicants define, in the specification as filed at page 11, line 30 through page 12, line 4, that a technical service action is “a process that provides SID table updates, telematics device reconfigurations, mobile configurations, programming error corrections, and phone number configurations for one or more telematics devices.” (emphasis added). In sharp contrast, the Stefan reference discloses (in paragraph [0037]) that, “an update program module applies **any** field service update data **233** received to the telematics device **220** to update a vehicle’s system software or operational parameters **232**.” (emphasis added). Stefan clearly teaches that **any** of the update data received by the telematics unit is for the **vehicle system**, not for the telematics device. As Stefan teaches updates for the VSM, and NOT technical service

actions for the telematics device (as recited in Applicants' claims), it is submitted that Stefan does not anticipate or render obvious Applicants' invention as defined in the pending claims.

It is further submitted that Stefan does not teach or suggest associating the selected service action with a **unique identification code assigned to a respective telematics device**. Stefan discloses a service center database that "contains a relational database that includes identifiers for makes and model of vehicles and the vehicle system modules associated with the vehicle types." (emphasis added, see paragraph [0041]). As previously described, the VSM and the telematics device are different components. The statement from paragraph [0041] of Stefan clearly refers to identifiers for the vehicle and for the vehicle system modules. However, Stefan **does not teach or suggest telematics device identifiers** (i.e., the unique identification code recited in Applicants' claims).

For all the reasons submitted above, it is submitted that, contrary to the Examiner's assertion, Stefan does not teach or suggest a technical service action for a telematics device, or unique codes for telematics devices. Since Stefan does not teach or suggest these elements, it logically follows that Stefan also does not teach or suggest selecting a technical service action for at least one telematics device, associating the selected service action with a unique identification code assigned to a respective telematics device, comparing the assigned unique identification code to the associated unique identification code; and providing the technical service action from the service center to the respective telematics device if the assigned unique identification code matches the associated unique identification code.

For all the reasons stated above, it is submitted that Applicants' invention as defined in claims 21, 29, and those claims depending ultimately therefrom, is not anticipated, taught or rendered obvious by the cited reference (Stefan), either alone or in combination, and patentably defines over the art of record.

Claims 38 and 42 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Stefan.

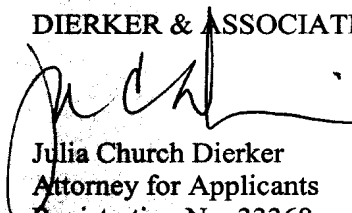
Applicants reiterate the arguments made above regarding the rejections of independent claims 21 and 29, and submit that claims 38 and 42 are patentable, in part, because of their respective dependency from claims 21 and 29.

In summary, claims 21, 23, 24, 29, 31, 32 and 35-42 remain in the application. It is submitted that, through this Response, Applicants' invention as set forth in these claims is now in a condition suitable for allowance.

Further and favorable consideration is requested. If the Examiner believes it would expedite prosecution of the above-identified application, she is cordially invited to contact Applicants' Attorney at the below-listed telephone number.

Respectfully submitted,

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